

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO**

UNITED STATES OF AMERICA,)	CASE NO. 1:09CR527
)	
PLAINTIFF)	JUDGE PETER C. ECONOMUS
)	
V.)	
)	
THOMAS ALTAVILLA,)	
MARIA ALTAVILLA,)	ORDER
)	
DEFENDANT.)	
)	

This matter is before the Court upon two Reports and Recommendations from Magistrate Judge Benita Y. Pearson's that the Court ACCEPT the pleas of guilty by Defendants Thomas Altavilla and Maria Altavilla ("Defendants") and enter a finding of guilty against each Defendant. (Dkt. # 30, 31).

On December 8, 2009, the government filed an Indictment against Defendants. (Dkt. # 1). On February 16, 2010, this Court issued an order assigning this case to Magistrate Judge Pearson for the purpose of receiving Defendant Thomas Altavilla's guilty plea. (Dkt. # 25). On February 18, 2010, this Court issued an order assigning this case to Magistrate Judge Pearson for the purpose of receiving Defendant Maria Altavilla's guilty plea. (Dkt. # 27).

On February 18, 2010, a hearing was held in which Defendants each entered a plea of guilty to Count 1 of the Indictment, conspiracy to commit bank fraud, in

violation of 18 U.S.C. §371. Magistrate Judge Pearson received Defendants' guilty pleas and issued a Report and Recommendation ("R&R") for each Defendant, recommending that this Court accept the pleas and enter a finding of guilty against each. (Dkt. # 30, 31).

No party has objected to the Magistrate Judge's R&R in the fourteen days after it was issued.

On *de novo* review of the record, both of the Magistrate Judge's R&Rs are adopted. Each Defendant was found to be competent to enter a plea. Each Defendant understood his or her constitutional rights. Each is aware of the consequences of entering a plea. There is an adequate factual basis for each plea. The Court finds that each plea was entered knowingly, intelligently, and voluntarily. The Defendants' pleas of guilty are approved.

Therefore, each Defendant is adjudged guilty of Count 1 in violation of 18 U.S.C. § 371. The sentencing for both Defendants will be held on May 20, 2010, at 10:00 a.m.

IT IS SO ORDERED.

/s/ Peter C. Economus - March 4, 2010
PETER C. ECONOMUS
UNITED STATES DISTRICT JUDGE